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JAN 20 2011

IN AND BEFORE THE
FEDERAL ELECTION COMMISSION

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COMMISSION
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OFFICE OF GENERAL
COUNSEL

Frank C. Quinta)
-and-)
Friends of Frank Quinta, Louis DeMato,) MUR 6440
Treasurer, in his official capacity)
Respondents)

RESPONSE AND MOTION TO DISMISS COMPLAINT

Friends of Frank Quinta, Louis DeMato in his official capacity as Treasurer of the Committee ("the Committee") and Frank C. Quinta (collectively hereafter "Respondents"), file this Response to the Complaint filed with the Federal Election Commission ("Commission") by the New Hampshire Democratic Party alleging a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). Respondents affirmatively state that there has been no violation of the Act.

The alleged violation relates to \$355,000.00 in personal loans from the candidate, Rep. Frank C. Quinta, to the Committee during the course of the primary election campaign in the 2010 election cycle. The Complaint alleges a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") resulting from Rep. Quinta's failure to include the Bank of America account in his Personal Financial Disclosure report(s) filed with the House Committee on Standards of Official Conduct ("House Ethics Committee").

As indicated in the attached Affidavit of Frank C. Quinta, the omission of the Bank of America account on the Personal Financial Disclosure reports was remedied by his July 23, 2010 amendment to the financial disclosure report(s).

Further, the funds in the Bank of America account were and are personal funds of the candidate. Rep. Quinta possessed / does possess legal access and an equitable interest in the Bank of America account in accordance with 11 C.F.R. §100.33. See Exhibit A, Affidavit of Frank C. Quinta.

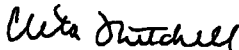
The House Ethics Committee advised Rep. Quinta on December 14, 2010, that it had received and reviewed Rep. Quinta's personal financial disclosure report(s) and the amendment thereto, and that the filings are in substantial compliance with the Ethics in Government Act of 1978.

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The omission of the Bank of America account from the personal financial disclosure report(s) filed by Rep. Quinte was not a willful violation of any law or regulation and, further, has been remedied to include the Bank of America account.

CONCLUSION

For the reasons stated above and because the facts do not support a reason to believe the law has been violated, Respondents respectfully move the Commission to dismiss the MUR and for such other necessary relief as deemed appropriate by the Commission.

Respectfully Submitted,



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Counsel for Respondents
Friends of Frank Quinte, Louis DeMato,
Treasurer, in his official capacity and
The Honorable Frank C. Quinte

Submitted via hand delivery this 20th day of January, 2011

Office of General Counsel
Federal Election Commission
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